


**FOURTEENTH CONGRESS OF THE REPUBLIC)
OF THE PHILIPPINES)
First Regular Session)**

7 SEP 17 1975

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SENATE

S. B. No. 1592

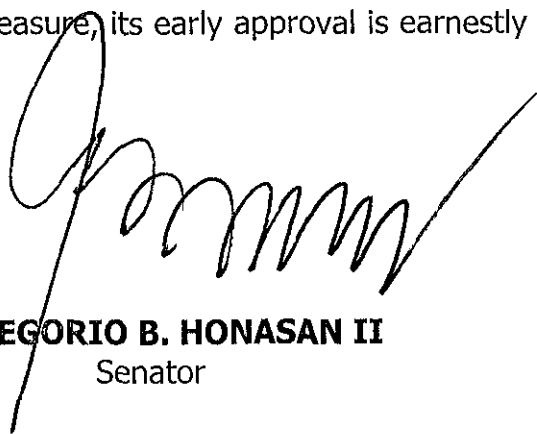
Introduced by Senator Gregorio B. Honasan II

EXPLANATORY NOTE

Our Constitution clearly articulates that it is the prime duty of the government to serve and protect its people. The State is therefore mandated to establish a highly efficient and competent police force that would ensure public safety to all Filipinos. The Philippine National Police is the primary agency that is entrusted to promote peace and order in the country. Consistent with this policy, this bill seeks to provide a truly professional, efficient and highly-motivated PNP that shall actively employ mechanisms to fully realize its mandate.

This bill lays down the framework for the modernization of the Philippine National Police which include several aspects such as organizational development, human resources development, doctrine development, infrastructure development, equipment and facilities acquisition and modernization and internal security and counter-insurgency capability development.

Considering the importance of this measure, its early approval is earnestly requested.




GREGORIO B. HONASAN II
Senator

FOURTEENTH CONGRESS OF THE REPUBLIC)
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**AN ACT PROVIDING FOR THE MODERNIZATION OF THE PHILIPPINE
NATIONAL POLICE AND FOR OTHER PURPOSES**

*Be it enacted by the Senate and the House of Representatives of the Philippines
in Congress assembled:*

SECTION 1. Short Title – This Act shall be known as the “Philippine
National Police Modernization Act of 2007”.

SECTION 2. Declaration of Policy – It is hereby declared the policy of the
State to establish a highly efficient and competent police force which is national
in scope and civilian in character. The Philippine National Police (PNP) is the
primary government agency that is entrusted to promote peace and order,
ensure public safety and effectively discharge its mandate of performing police
functions. The PNP will primarily be a service-oriented agency responsible for
internal security operations.

Toward this end, a truly professional, efficient and highly motivated PNP
shall actively employ mechanisms to engage the support of the people at the
community-level as well as the support of the other pillars of the criminal justice
system that shall be realized through the PNP modernization program under this
Act, the thrust of which shall be:

- a.) The promotion of a PNP National Strategic Action Plan (NSAP) which
will focus on the following Key Result Areas (KRA):
 1. Prevention and control of crimes primarily through the
Community-Oriented Policing System (COPS);

2. Peace and order maintenance, internal security and peacekeeping;
 3. Enforcement of the rule of law;
 4. *Community support*;
 5. Coordination and cooperation with other government agencies, non-government organizations (NGOs) and the *international police community*;
 6. Efficiency and effectiveness in the development and management of human and material resources.
- b.) The undertaking of reforms in the recruitment, training, employment and management of PNP personnel;
 - c.) The development, validation or modification of PNP doctrines;
 - d.) The acquisition, construction, improvement and upgrading of buildings, facilities and/or offices as centers or headquarters for police operations in the local government units;
 - e.) The acquisition and upgrading of basic police equipment and law enforcement facilities; and
 - f.) The acquisition and upgrading of appropriate technology and equipment.

SEC. 3. Objectives of the PNP Modernization Program – The PNP Modernization Program shall be implemented in accordance with the following objectives:

- a.) To transform and develop the PNP into a service-oriented agency in the performance of its police and disaster-related and mitigation functions;
- b.) To enable the PNP to develop capabilities to foster human and ecological security;
- c.) To enhance its capability to assist other agencies in the enforcement of *domestic and foreign policies* as well as international covenants in coordination with the international law enforcement agencies;
- d.) To enhance the PNP's capability to assist the Armed Forces of the Philippines in the performance of the AFP's mandate; and
- e.) To develop its capability to support national development.

SEC. 4. Components of the PNP Modernization Program – The PNP Modernization Program shall consist of the following components:

1. Organizational Development – The PNP Modernization Program on organizational development shall consist of the restructuring and streamlining of units and offices for economy and efficiency to avoid the overlapping of *functions, simplify procedures and improve response time for crime prevention and control: Provided, that an Internal Affairs mechanism shall be devised which shall be insulated from unwarranted interference from within the organization: Provided, further, that it shall conduct pro-active investigations on prospective and existing personnel to include the assessment, analysis and evaluation of character, behavior and other potential problems which may arise in the performance of their duties.*

2. Human Resources Development – This component of the PNP Modernization Program pertains to the professionalization of its human resource, the transformation of its personnel into *pro-country, pro-people, pro-environment.* This component shall include the reengineering of the institutional framework of police education and training and strengthening police education and training curriculae. Correspondingly, this program shall have the following objectives:

- a.) To strengthen civil consciousness and respect for the rule of law; and
- b.) To develop and transform the PNP into a primarily community-based police force.

3. Doctrine development – This requires the rationalization of systems, standards and procedures in the administration of the PNP. Thus, towards this end, the National Police Commission (NAPOLCOM) and the Office of the PNP Chief shall be responsible for the generation, evaluation, consolidation and *formalization of doctrines through field application, testing and exercises as well as the dissemination of approved doctrines at all levels of command.*

4. Infrastructure Development – This refers to the basic systems and support systems required to ensure that efficient police services are rendered. The modernization program includes the acquisition and upgrading of basic facilities such as police stations to support administrative and operational services such as training, crime laboratory, information management systems,

communications systems, medical and dental services, care in hospitals and dispensaries and housing.

5. Equipment and facilities acquisition and modernization – This program involves the acquisition and upgrading of contemporary, modern and state-of-the-art equipment and systems to enhance the capabilities of the police organization in the performance of its mandate.

The Secretary of the Interior and Local Government in coordination with the Chairman of the National Police Commission shall formulate guidelines to implement this section in accordance with the objectives of the modernization program enumerated in the preceding section.

SEC. 5. Priority Programs for Modernization – In the performance of its duties and functions as mandated by law, the PNP shall undertake the Modernization Program in the context of a PNP National Strategic Action Plan (NSAP), consistent with Sections 3 and 4 of this Act, and shall specifically gear towards the improvement and development of the criminal aspect of its police functions. The following areas of activity shall thereafter be given priority:

a.) Community-Oriented Policing Systems (COPS) – The rationalization of the police operations into a pro-active and community-based policing system in place of the current reactive, precinct-based policing system.

b.) Criminal Investigation – The enhancement of legal and scientific criminal investigation utilizing improved crime laboratory techniques, methodologies and responsive procedures.

c.) Beat Patrol – Improved patrol coverage through the acquisition and upgrading of communications equipment and mobility equipment to improve response time and enhance crime prevention.

d.) Civil Disturbance Control – The development of civil disturbance doctrines consistent with the Constitutional and statutory provisions on human rights as well as the acquisition of equipment and devices necessary to implement these doctrines.

e.) Anti-Terrorists Operations – The promotion and utilization of multilateral exchange of information with other police organizations, to include the improvement of its institutional capabilities to deal with terrorist activities as may be defined by law.

f.) Disaster Relief and Rescue Operations – The improvement of institutional capability to prepare and respond to all types of disasters or national emergencies as well as the development of capabilities for the coordinated efforts with other government agencies and relief organizations in responding to the same.

g.) VIP and Airport Security – The development and upgrading of airport security measures and doctrines to world-class standards to include the creation of cooperation and coordination mechanisms with domestic and international law enforcement agencies.

h.) Maritime Patrol – The development of capabilities concerning the performance of its duties of environmental protection and conservation as well as ensuring ecological security. It shall likewise include the conduct of operations against illegal activities in the maritime areas such as illegal fishing, piracy, smuggling, illegal trafficking of contraband and the like.

i.) Aerial Surveillance and Air Transport – The acquisition and upgrading of a modest air transport capability to convey its personnel and supplies over the entire length and breadth of the archipelago. This will necessitate the acquisition of multi-role aircrafts to function on public order and safety services such as observation, surveillance evacuation, and detection, among others.

j.) Drug Abuse Suppression – The development of its capability in the enforcement of laws relating to drug abuse and the increased coverage in drug abuse suppression.

k.) Integrated Communication System – The acquisition and/or upgrading of a centralized communication system for faster coordination, command and control of operational and administrative activities.

l.) Intelligence Operations – The development and enhancement of the capability for information collection, processing and dissemination.

m.) Integrated Logistics Support – The enhancement of PNP logistics capability for sustained law enforcement, public security and internal security operations throughout the country.

n.) Firearms Control and Private Security Agency Regulation – The development and enhancement of an electronic information management system and the standardization of training for security guards. The development of a comprehensive firearms control regulation mechanism shall be undertaken to address the proliferation of unlicensed and unregistered firearms.

o.) Traffic Law Enforcement – The development of a traffic law enforcement and management system for an improved capability for traffic control.

SEC. 6. Period of Implementation – The modernization program under this Act shall be implemented over a period of five (5) years: *Provided, however,* that payments for amortization of outstanding multi-year contract obligations incurred under this Act may extend beyond this period.

SEC. 7. Submission of the PNP Modernization Program – Within ninety (90) days from the effectivity of this Act, the President, upon the recommendation of the Secretaries of the Interior and Local Government and Budget and Management, shall submit the PNP modernization program as provided for in this Act to Congress for its consideration and approval in a joint resolution of the House of Representatives and the Senate. The program shall indicate:

- (1) The size and shape of the PNP in terms of personnel, equipment and facilities during the various phases of the modernization program;
- (2) The programs and modernization projects under it, including police education and training as well as equipment and technology acquisitions, any major infrastructure construction or improvement to be made and the particular objective(s) and component(s) under

Sections 3 and 4, respectively, of this Act to which such intended acquisition, construction or improvement belongs; and

- (3) The priorities, schedules as well as estimated average cost of each modernization project or upgrading to be undertaken.
- (4) In the event the Congress approves the PNP modernization program, the joint resolution shall be the basis for subsequent executive and legislative actions to implement the PNP modernization program from year to year until its complete and full realization.

SEC. 8. Appropriations for the PNP Modernization Program – The annual appropriations for the PNP modernization program shall include the amounts necessary to support the funding requirements for all modernization projects approved by Congress under the preceding section.

The funds to be appropriated for the PNP Modernization program under this Act shall be treated as a distinct and separate budget item from the regular appropriations for the Department of the Interior and Local Government and the PNP, and shall be administered by the Secretary of the Interior and Local Government.

SEC. 9. Multi-year Contracts and Other Contractual Arrangements -

a.) The Secretary of the Interior and Local Government, pursuant to the PNP Modernization Program Projects and Appropriations approved by Congress, may, subject to the approval of the President, and consistent with the provisions of existing laws and regulations including those of the Commission on Audit and under such terms and conditions most favorable to the Government, enter into multi-year contracts, and other contractual arrangements.

b.) For multi-year contracts, Congress shall upon certification by the President, make the corresponding appropriation for the ensuing fiscal year: *Provided*, That Congress shall appropriate only such funds as may be necessary to pay an unpaid amount where the funds appropriated for the current fiscal year is not sufficient or available to meet such payment in full or in part.

c.) The Secretary of the Interior and Local Government shall submit to the Chairman of the Senate Committee on Public Order and Illegal Drugs, the Secretary of Finance and the Chairman of the House Committees on Public Order

and Safety and Appropriations, copies of these multi-year contracts and other agreements to enable Congress to appropriate funds.

SEC. 10. Self-Reliance Program – In implementing the modernization program, the PNP shall give preference to Filipino contractors and suppliers and secondly to foreign contractors or suppliers willing or able to allocate a substantial portion of, if not the entire production process of the item(s) involved, within the Philippines: *Provided*, That the PNP shall first determine and publish the minimum requirements and standards for products, equipment and technology before the contract negotiation or bidding: *Provided, further*, That such product, equipment and technology standards shall conform to established standards in the international community: *Provided, finally*, That the spirit, intent and criteria set by the Flag Law shall be adopted in the determination of awards of contractual arrangements.

In order to generate local employment opportunities and enhance technology transfer to the Philippines and to minimize foreign exchange outflow, the Secretary of the Interior and Local Government, shall as far as feasible, incorporate in each contract/agreement, special foreign exchange reduction schemes such as counter trade, in-country manufacture, co-production, or other innovative arrangements or combinations thereof.

The PNP shall likewise ensure that in negotiating applicable contracts of agreements, provisions are incorporated respecting the transfer to the PNP of the principal technology involved as well as the training of PNP personnel to operate and maintain such equipment and technology.

SEC. 11. Procurement System – In addition to the provisions of existing laws, rules and provisions regarding the procurement and acquisition of real estate, buildings, facilities and equipments, the PNP shall strengthen said systems and procedures taking into account the new requirements under the PNP modernization program.

SEC. 12. Congressional Oversight Committee – There is hereby created a Congressional Oversight Committee composed of seven (7) members from the Senate and seven (7) members from the House of Representatives to be designated respectively by the Senate President and the Speaker of the House.

The Committee shall be headed by the respective Chairpersons of the Senate Committee on Public Order and Illegal Drugs and the House Committee on Public Order and Safety.

SEC. 13. *Powers and Functions of the Oversight Committee* – The Oversight Committee shall have the following powers and functions:

- a.) To monitor and ensure the proper implementation of this Act;
- b.) To ensure transparency and require the submission of reports from government agencies concerned on the conduct of programs, projects and policies relating to the implementation of this Act;
- c.) To submit periodic reports to the President of the Philippines and Congress on the implementation of the provisions of this Act; and
- d.) To perform such other duties, functions and responsibilities as may be necessary to effectively attain the objectives of this Act.

SEC. 14. *Annual Report* – Not later than the end of the first quarter of the succeeding year, the Committee, shall submit to the President and Congress an annual report containing the progress of the implementation of the modernization program under this Act to include the PNP program activities implemented prior to the approval of this Act.

SEC. 15. *Separability Clause* – If any provision of this Act shall be held unconstitutional or invalid, the other provisions not otherwise affected shall remain in full force and effect.

SEC. 16. *Repealing Clause* – All laws, executive orders, rules and regulations inconsistent with or contrary to the provisions of this Act are hereby deemed accordingly repealed or amended.

SEC. 17. *Effectivity Clause* – This Act shall take effect fifteen (15) days after its complete publication in at least two (2) newspapers of general circulation.

Approved,